

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

---

WAYNE LAMARR HARVEY #147594,

Plaintiff,

Case No. 2:18-CV-67

v.

HON. GORDON J. QUIST

HEIDI WASHINGTON, et al.,

Defendants.

---

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On November 18, 2020, U.S. Magistrate Judge Maarten Vermaat issued a Report and Recommendation (R & R), recommending that the Court grant in part and deny in part Defendants' motion for summary judgment. (ECF No. 55.) The Court has reviewed the R & R. No objections have been filed pursuant to 28 U.S.C. § 636(b). Thus, the Court will adopt the R & R.

**Accordingly, IT IS HEREBY ORDERED** that the November 18, 2020, Report and Recommendation (ECF No. 55) is **adopted** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's claims against Defendant LaForest are **dismissed without prejudice** pursuant to Fed. R. Civ. P. 4(m).

**IT IS FURTHER ORDERED** that Defendants' motion for summary judgment (ECF No. 51) is **GRANTED IN PART** and **DENIED IN PART** for the reasons set forth in the R & R. Plaintiff's claim against Defendant Gluesing in his official capacity and Plaintiff's claims against Defendant James are **dismissed with prejudice**.

This case shall proceed on Plaintiff's excessive force claim against Defendant Gluesing in his individual capacity.

Dated: December 9, 2020

/s/ Gordon J. Quist  
\_\_\_\_\_  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE